THE HON'BLE MR. JUSTICE V.V.S. RAO

THURSDAY, THE 29TH DAY OF DECEMBER, 2005

W.P.No. 27922 of 2005

Between:-

M. Lalita @ Lalitha Bai

--Petitioner

And

The Commissioner/The Registrar of Deaths and Births,

L.B. Nagar Municipality, Saroornagar, R.R. District.

--Respondents

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:O R D E R:

The petitioner is the wife of one M.R. Krishna Rao. Her husband passed away on 09-10-2000. As per the information given by the staff of burial ground, the respondent registered the death of the petitioner's husband and issued a Certificate of Death dated 30-10-2000. However, the name of the husband of the petitioner was shown as "MALVE KISHAN RAO" instead of "M.R. KRISHNA RAO". Having noticed the erroneous entry, the petitioner made an application on 06-10-2005 to the respondent requesting to issue a fresh certificate of death duly correcting the name of the husband of the petitioner as "M.R. KRISHNA RAO". As no orders are passed till now, the present writ petition is filed seeking writ of Mandamus.

Heard the learned counsel for the petitioner and the learned standing counsel for L.B. Nagar Municipality.

Section 15 of the Registration of Births and Deaths Act, 1959 (for short 'the Act') empowers the Registrar to correct any entry of death in any register by suitable entry in the margin. Further, the Andhra Pradesh Registration of Births and Deaths Rules, 1999 (for short 'the Rules'), which are promulgated in exercise of powers under Section 30 of the Act by the State of Andhra Pradesh, contain Rule 11 of the Rules, which empowers the Registrar to make necessary corrections in the Register of Births and Deaths. Therefore, whenever an application is made for correction of the date of birth or death or cancellation of such registration, a duty is cast upon the

Registrar to inquire into the matter and pass appropriate orders.

In view of the above, this writ petition is disposed of directing the respondent to pass appropriate orders on the application dated 06-10-2005 made by the petitioner and communicate the order to the petitioner thereafter. There shall be no order as to costs.

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V.V.S. RAO, J

29-12-2005

pvks/*

Nb: Registry to furnish c.c. day-after tomorrow i.e., 31-12-2005.

B/o pvks/*